

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

CARPENTERS DISTRICT COUNCIL OF )  
GREATER ST. LOUIS, et al., )  
Plaintiffs, )  
v. ) No. 4:07 CV 890 DDN  
POUNDS ROOFING WORKS, L.L.C., )  
Defendant. )

ORDER

This matter is before the Court for examination pursuant to Rule 4(m), Federal Rules of Civil Procedure.

Plaintiffs commenced this action on May 2, 2007, naming Pounds Roofing Works, L.L.C., as defendant. A review of the Court file shows that defendant has not been served in this matter nor has service been waived on its behalf. Under Rule 4(m), Federal Rules of Civil Procedure, the Court, after notice to the plaintiffs, is directed to dismiss an action against a defendant upon whom service has not been made within 120 days after the filing of the complaint.

The Rule 4(m) period for service expires August 30, 2007, 120 days after the filing of plaintiff's complaint.

Therefore,

**IT IS HEREBY ORDERED** that plaintiffs shall file proof of service on defendant not later than August 30, 2007. In the absence of good cause shown, failure to timely serve said defendant shall result in the dismissal of plaintiffs' claims as to said defendant without prejudice.

/S/ David D. Noce  
**UNITED STATES MAGISTRATE JUDGE**

Signed on July 31, 2007.